

## **REMARKS/ARGUMENTS**

### **Status of the Claims**

Claims 1-41 remain in the application;  
Claims 1, 18, 28, 31, 35, and 40 have been amended;  
Claim 42 has been deleted.

### **Claim Objections**

Claims 8, 10-17, and 20-34 were objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

The Examiner has also acknowledged that claims 36-42 are allowable.

### **Claim rejections under 35 U.S.C. § 102(b)**

Claims 1-7, 9, 18, 18, and 35 stand rejected under 35 U.S.C. §102(b) as being anticipated by published U.S. Patent No. Re 37,174 (Grawey).

While it is believed that the above rejection has been rendered moot by Applicants' amendments to the claims at issue, Applicant respectfully disagrees. It is well settled that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."<sup>1</sup>

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<sup>1</sup> *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Briefly, the Grawey reference shows and discloses a tracked work vehicle that has a rear wheel structure 24, a front wheel structure 26, a roller support system 42, and an elastomeric belt of material 36 that is configured to encircle and rollingly contact the front wheel structure, the rear wheel structure and the roller support system.

Grawey does not disclose an apparatus that is used to convert a wheeled vehicle into a tracked vehicle, as recited in independent claims 1 and 18. This is because Grawey's vehicle starts out as a tracked vehicle and remains a tracked vehicle.

Grawey does not disclose that his wheels are removed and replaced with hub assemblies, as recited independent claims 1, 18, and 35. The "hub assemblies" identified by the Examiner as 24 and 26, are wheel structures that are attached to respective axles, 62, 64, and which form part of the vehicle.

Grawey does not show or disclose the feature of a support frame that is connected to first and second hub assemblies by respective attachment members, as recited in independent claim 1. The "support structures" (identified by the Examiner as 42 and 152), are not connected to the rear or front wheel structures 24, 26. Instead, the "support structures" are part of a roller support system 42 that includes rollers 165, 164. The "support structures" or roller support system 42 is separate and distinct from the rear and front wheel structures 24, 26.

Grawey does not show or disclose the feature of a support frame having a length that is greater than or equal to the distance between the front and rear wheel structure axles, as recited in independent claim 1. Instead, the support frame (identified by the Examiner as support structures 42 and 152) has a length that is considerably shorter than the distance between the rear and front wheel structure axles, 62, 64. Moreover, Grawey does not show or disclose the features of first and second attachment members that connect the first and second hub assemblies to a support frame, as recited in independent claim 1.

In addition, Grawey does not show or disclose the feature of an endless track that is engaged by only one of the first or second hub assemblies, as recited in independent claims 18 and 35. Instead, Grawey's endless track 36 is configured to frictionally engage both rear and front wheel structures 24, 26.

Applicant respectfully disagrees with the Examiner's assertion that Grawey shows and discloses the claimed feature that both of his rear and front wheel structures (24, 26) are adjustable along the length of his support structures (42, 152). As pointed out above, the support structures (as identified by the Examiner) are separate and distinct from the rear and front wheel structures 24, 26. Moreover, it is apparent that the rollers 164, 165 are not adjustable relative to the "support structures" 42, 152 because they are independent of the wheelbase length.

Applicant respectfully disagrees with the Examiner's assertion that Grawey shows and discloses the claimed feature that the wheel structures (24 and 26) are able to automatically compensate for axles that have irregular rotational movement or are misaligned. This is incorrect. Grawey only discloses a "toe in – toe out" adjustment apparatus 194 that is used "for adjusting the orientation of the front wheel structures". Note that adjustment is carried out by turning a screw bolt 200 that is threaded to a strut 196. There is no automatic compensation. Moreover, there is no compensation for axles having irregular rotational movement.

It is submitted that the reference of Grawey does not anticipate Applicant's claimed invention under 35 U.S.C. § 102(b) because Grawey does not show or disclose all of the features recited in independent claims 1, 18, and 35. It is further submitted that Grawey does not anticipate dependent claims 2-6, 9, and 19, which included additional limitations. Applicant respectfully request that the rejection of the claims 1-7, 9, 18, 19, and 35 be withdrawn and passed to issue or, in the alternative, reconsidered and further examined.



## CONCLUSION

On the basis of the foregoing amendments, remarks, and arguments of record, applicant respectfully submits that claims 1-41 are in condition for allowance and Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Alternatively, if the Examiner is of the opinion that prosecution of the application may be expedited by a telephonic interview, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,  
For the Applicant(s)  
By his/her/their Attorneys,

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